

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

JOHN LAMAR BARNES, #336-955,	:	CASE NO. C-1-02-101
	:	
Plaintiff,	:	JUDGE SPIEGEL
v.	:	
	:	
MATTHEW THOMAS,	:	<u>RULE 26(f) REPORT OF THE</u>
	:	<u>PARTIES</u>
Defendant.	:	

1. Pursuant to Fed. R. Civ. P. 26(f), a meeting was held on Thursday, January 15, 2004 and was attend by:

John Lamar Barnes, pro se
Marianne Pressman counsel for Defendant Thomas

2. The parties have exchanged the discovery disclosures required by Rule 26 (a)(1).
3. The parties do not unanimously consent to the jurisdiction of, and entry of judgment by, the United States Magistrate Judge pursuant to 28 U.S.C. § 636(c).
4. Recommended cut-off date for filing any motion to amend the pleadings and/or to add additional parties: March 31, 2004.
5. Is this case appropriate for mediation after a limited discovery period? Plaintiff is not willing to mediate. Defendant would like to reserve the issue of mediation until the preliminary pretrial conference.

Will the parties request the services of a court mediator? No

Has a settlement demand been made? No

Date by which a settlement demand can be made? April 1, 2004

Date by which a response can be made to settlement demand? April 15, 2004

6. Recommended discovery plan:
 - A. Describe the subjects on which discovery is to be sought and the nature and extent of discovery that each party needs to: (1) make a settlement

evaluation, (2) prepare for case dispositive motions, and (3) prepare for trial:

The same discovery is necessary to make a settlement evaluation, prepare for dispositive motions, and prepare for trial. The parties need to exchange a reasonable quantity of documentation.

- B. What changes should be made, if any, in the limitations on discovery imposed under the Federal Rules of Civil Procedure of the S.D. Ohio Civ. Rules, including the limitations to 25 interrogatories, 40 requests for admissions, and the limitation of ten depositions, each lasting no more than one seven-hour day.

None.

- C. Additional recommended limitation on discovery:

None.

- D. Describe the areas for which expert testimony is expected and indicate whether each expert will be specifically retained within the meaning of Fed. R. Civ. P. 26(a)(2):

- E. Recommended date for identifying primary experts, if necessary: March 1, 2004

- F. Recommended date for producing primary expert reports: April 5, 2004

- G. Recommended date for identifying rebuttal experts, if necessary: April 30, 2004

- H. Recommended date for producing rebuttal expert reports: May 15, 2004

- I. Recommended discovery cut-off date: May 30, 2004

7. Recommended Dispositive Motion Deadline date: June 30, 2004

8. Recommended date for Final Pretrial Conference: October 1, 2004

9. Recommended date for trial: November 1, 2004

10. Other matters for attention of the Court: None

Respectfully submitted,

s/ MARIANNE PRESSMAN
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing pleading was served upon Plaintiff, John Lamar Barnes, #336-955, Warren Correctional Institution, P.O. Box 120, Lebanon, Ohio 45036, on the 29th day of December, 2003.

s/ MARIANNE PRESSMAN
MARIANNE PRESSMAN (0059512)
Assistant Attorney General